IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 27963 of 2004(D)

CMA.24/2003 OF SUB COURT, CHERTHALA

PETITIONER:

K.A. SHANMUKHADAS, S/O. ANGAN,
THATTASSERIL VEEDU, MUHAMMA, CHERAMANGALAM MURI,
CHERTHALA TALUK, ALAPPUZHA DISTRICT.

BY ADV. SRI.T.RAJESH

RESPONDENTS:

1. **MEENAKSHY, D/O. KARUMBI,**
   THATTASSERIL VEEDU, CHERAMANGALAM,
   THANNERMUKKOM.

2. **MOHANDAS, S/O. NARAYANAN, THATTASSERIL**
   VEEDU, CHERAMANGALAM, THANNEERMUKKOM.

3. **MANGALAMMA, THATTASSERIL VEEDU,**
   CHERAMANGALAM, THANNEERMUKKOM.

BY ADV. SRI.J.OM PRAKASH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 27963/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PLAINT IN OS NO. 340/2003 PENDING BEFORE THE ADDL. MUNSIFF'S COURT,CHERTHALA DT. 5/5/03.

EXT.P2. COPY OF THE INJUCTION APPLICATION FILED BY THE RESPONDENT DT. 2/7/2003.

EXT.P3. COPY OF THE COUNTER AFFIDAVIT FILED BY THE PETITIONER DT. 10/07/2003.

EXT.P4. COPY OF THE ORDER IN IA NO. 2095/2003 IN OS NO. 340/2003 OF THE ADDL. MUNSIFF'S COURT, CHERTHALA DT. 22/7/2003.

EXT.P5. COPY OF THE JUDGMENT IN CMA NO. 24/2003 OF THE SUB COURT, CHERTHALA DT. 29/4/2004.

True copy

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KURIAN JOSEPH, J.

W.P. (C). NO. 27963 OF 2004

Dated this the 15th day of June, 2007.

J U D G M E N T

Challenge is on Exhibit P5 order passed by the Sub Court, Cherthala in a suit for declaration of easement rights. Having heard the counsel on both sides, I am of the view that it is only in the interest of both parties to have an expeditious disposal of the suit.

2. Accordingly, this writ petition is disposed of directing the Munsiff Court, Cherthala to dispose of O.S. 340/2003, within a period of six months from the date of receipt of a copy of this judgment. Interim order passed by this Court will continue till such time.

KURIAN JOSEPH, JUDGE.

smp